

**Minutes
Windsor Town Council Meeting
Town Hall
April 13, 2010**

The Windsor Town Council met in regular session on April 13, 2010 at 7:00 p.m. in the Council Chamber of the Windsor Town Hall, Windsor, Virginia. Mayor Marvin A. Crocker, Jr. was present, and he called the meeting to order. He welcomed those who were present. He asked for anyone with cell phones to please turn them off. He asked the Clerk to call the roll. Robin Hewett, Town Clerk, recorded the minutes. Michael Stallings, Town Manager, Police Chief Porti, Dennis Carney, Planning and Zoning Administrator, and Joshua Pretlow, Jr., Town Attorney were present.

Council members present:

- J. Clinton Bryant
- Wesley F. Garris
- William L. Jones
- Carita J. Richardson
- Durwood V. Scott
- Greg Willis

Mayor Crocker said he would like to recognize BZA member, Carolyn Harrup, attending the meeting. He asked Councilwoman Richardson to give the invocation, and Councilwoman Richardson did. Mayor Crocker said there is no public hearing. He said before moving to delegations and public comments he would like to welcome Mr. Stallings as the newest Town Manager for the Town of Windsor. He said this is his first official Town Council meeting. Mayor Crocker asked Mr. Stallings to introduce the newest member of Town staff. Mr. Stallings said attending the meeting is Dennis Carney, Planning and Zoning Administrator. He said he has many years of experience and comes to the Town from Caroline County. Mayor Crocker said he would like to also extend his appreciation to Mr. John Rowe, even though he not in attendance, for almost two years of service with the Town and Council as Interim Town Manager.

Public Hearing

None

Delegations, Public Comments, and Citizens Concerns

Steven Trent, Windsor Postmaster, said many of his employees are present tonight because of their concern with the post office lease. He said Mr. Rowe has provided Council with many emails dating back over the last several years regarding the post office. He said he hopes Council will make their best decision on renewing the post office lease with regards to the information it has received.

Consent Agenda

Mayor Crocker asked for approval of the consent agenda, which included the minutes of the March 8, 2010 Special Called Council meeting, the minutes of the March 9, 2010 Council meeting, the minutes of the March 17, 2010 Council meeting, and the Treasurer's reports. Councilwoman Richardson made a motion to approve the consent agenda as presented. Councilman Bryant seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

Town Manager's Report

Budget Transfers

Mr. Stallings said as Council is aware this is the first year of our new budget format. He said there are several line items that have no "history" because of previously being lumped together with other line items. He said all of the budget transfers listed in the memo are transfers into such accounts that carry no "history". He reviewed the list of transfers with Council which consisted of four General Fund transfers and one Water Fund transfer. Mr. Stallings said he recommends that Council approve the General Fund and Water Fund budget transfers as presented in the memo.

Vice Mayor Jones made a motion to approve the General Fund and Water Fund budget transfers as follows: \$200 from account number 4-100-11010-1100 Legislative-Mayor & Council Compensation to account number 4-100-11010-5500 Legislative-Travel and Training, \$1,000 from account number 4-100-12100-3100 General Management-Professional Services to account number 4-100-12100-3320 General Management-Maintenance Contracts, \$1,900 from account number 4-100-12100-3100 General Management-Professional Services to account number 4-100-12100-5230 General Management-Telephone-Communications, \$800 from account number 4-100-12100-3100 General Management-Professional Services to account number 4-100-12100-5410 General Management-Equipment Rental and in the Water Fund \$200 from account number 4-200-42000-3100 Professional Fees to account number 4-200-42000-3160 Bank Fees. Councilman Scott seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #2.

Returned Check Fees

Mr. Stallings said at a previous Council meeting there was some discussion on the amount of the fee that the Town charges when the Town receives a returned check. He said as directed, staff has conducted a market survey to determine what other localities and some local businesses currently charge for returned checks. He said this information is included in your agenda packet. Mr. Stallings said as you can see from the list, the majority of localities in our area charge

between \$25 and \$35 for returned checks. He said also in the agenda packet is the number of returned checks we process each year. Mr. Stallings said after reviewing the market survey, he would recommend to Council to adopt the enclosed policy that sets the returned check fee at \$30. He said this amount is consistent with our administrative fee on delinquent taxes, and puts us in the "middle of the road" with the other localities and businesses.

Councilman Garris made a motion to adopt the return check policy, setting the returned check fee at \$30. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #3.

Resolution Commending Town Clerk/Treasurer, Robin Hewett

Mr. Stallings said this is a resolution commending Robin Hewett. He said as Council is aware Ms. Hewett recently obtained her Certified Municipal Clerk (CMC) certification from the International Institute of Municipal Clerks (IIMC). He said the process is a lengthy process which requires many hours of hard work and dedication on her part by attending conferences, classes and writing papers. Mr. Stallings said he would recommend that Council adopt the resolution included in the packet entitled: A Resolution Commending Robin L. Hewett, Clerk And Treasurer Of The Town Of Windsor On Attaining The Prestigious Certified Municipal Clerk Designation From The International Institute Of Municipal Clerks.

Councilman Willis made a motion to adopt the resolution entitled: *A Resolution Commending Robin L. Hewett, Clerk And Treasurer Of The Town Of Windsor On Attaining The Prestigious Certified Municipal Clerk Designation From The International Institute Of Municipal Clerks.* Mayor Crocker seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #4.

Mayor Crocker read and presented the resolution to Ms. Hewett. Each Council member commended Ms. Hewett on her accomplishment.

Sidewalk Status Update

Mr. Stallings said at Council's last meeting it asked that he provide a report on the status of the sidewalk project. He said after all plans were submitted to the Virginia Department of Transportation (VDOT) they were sent to the Federal Highway Administration (FHWA) for final review and approval. He said after the FHWA review, comments were received and additional information was asked to be provided for all projects. He said the engineer has been working diligently to respond to all comments and to provide the additional information requested by FHWA. Mr. Stallings said we have met VDOT's deadline of April 6, 2010. He said the latest submittal is currently under review by VDOT. He said once VDOT has completed their review, the documents will be forwards to FHWA for final

review and approval. He said once we receive approval from FHWA, we will proceed with advertisement for bids.

Police Department Space Needs

Mr. Stallings said at Council's last meeting it considered a motion to move forward with architectural and design work for an addition to the existing Town Hall to provide space for the police department as well as additional space for Town administrative functions. He said after much discussion, the motion and second were withdrawn to allow Council time to consider other options, and Council directed that this item be placed back on the agenda for this meeting.

Mr. Stallings said after Council discussion, he would recommend that Council reconsider the motion that was made at the last meeting, and move forward with the architectural and design work for an addition to the rear of the existing Town Hall building.

Councilman Willis suggested tabling this item to discuss further under Old Business at the time the Post Office lease is discussed. Mayor Crocker said this item will be discussed under Old or Unfinished Business on the agenda.

Calendar of Events

Mr. Stallings said the calendar of events is self-explanatory, and is in Council's agenda packet for Council's information. He said he would like to remind Council of the VML Town Section Meeting scheduled for April 16, 2010 in Tappahannock. He said there are five individuals planning to attend this meeting. Councilman Garris asked if it was too late to be added to this meeting. Mayor Crocker asked the Clerk to check to see if Councilman Garris could be added after the deadline.

Police Chief's Report

Chief Porti said for the month of March there were a total of 201 calls of which Windsor Police Department answered 183 calls. He said there were a total of 192 traffic stops which resulted in 201 traffic summons and 17 warnings. He said there were two DUI arrests. Chief Porti said there were six felony arrests which resulted in 12 charges and seven misdemeanor arrests which resulted in 10 charges.

Chief Porti briefed Council on the training courses that several police officers attended during the month. He said the planning is underway for the annual TRIAD conference which will be held at the Smithfield Center on Monday, May 3. He said Council supports this conference through the annual budget process, and he thanked them for their generosity. He further briefed Council on the TRIAD conference and what their topic of interest is for this year.

Chief Porti said this past weekend was busy for the department. He said they responded to Dairy Queen where a note and ID card were found in the restroom, stating that the person on the ID card had been murdered. He said in working on the case with the Portsmouth Police Department and Wilson, North Carolina Police Department it was determined a homicide investigation. Chief Porti said the subject has been apprehended.

Town Attorney's Report

Mr. Pretlow said he had two items to bring to Council's attention. He said the first item is Dominion Virginia Power has requested a rate adjustment clause, which means rates will increase. He said he has the appropriate paperwork from Dominion Virginia Power if anyone is interested in reviewing it.

Mr. Pretlow said the second item is regarding a lawsuit which was filed back in January, 2006 under seal. He said the lawsuit is a fraud against taxpayer suit. He said this lawsuit relates to the use of certain types of piping material for water and sewer lines by a former employee of a company stating that taxpayers had been defrauded. He said the lawsuit has been unsealed and will be moving forward. Mr. Pretlow said he will pass this information on to Mr. Stallings so he can check with the engineer to make sure the Town does not have any of the piping in question. He said the piping is identifiable by color and type. Mayor Crocker asked to get a certification letter stating that the Town does not have any of the piping in question. He further explained the details of the type of piping in question in this lawsuit.

Mr. Stallings said he would forward this information to the engineer for their review. Mayor Crocker asked that this item be put on the agenda for the next meeting for a follow up report.

Mayor's Report

Mayor Crocker said Council received two memos from the Mayors and Chairs meeting regarding wind energy and Fort Monroe. He said this was included for Council's information.

Mayor Crocker said the March 24, 2010 action list from Isle of Wight County Board of Supervisors is in the town office for anyone who wishes to review it. He said Doug Caskey, County Administrator, sent a letter to Council regarding a task force committee being formed. He said he has not been contacted as to when this meeting will take place.

Mayor Crocker said for Council's information, the Isle of Wight Board of Supervisors and School Board will be meeting in the Council Chamber on Thursday, April 15, 2010 at 7:00 a.m.

Other Reports

Councilman Scott said the Economic Development Committee has been doing some research on the Economic Development Authority. He said at its March meeting Mr. Steve Lynch gave a very informative presentation on industrial/economic revenue bonds and industrial/economic development authorities (EDA). He said after the presentation and discussion among the committee, the committee unanimously approved a motion to recommend that the Windsor Town Council establish the Economic Development Authority of the Town of Windsor. He said included in Council's packet is an ordinance to create and establish the Economic Development Authority of the Town of Windsor. Mayor Crocker asked the Clerk to read the title of the ordinance and she read the title as follows: an ordinance to create and establish the Economic Development Authority of the Town of Windsor, Virginia.

Councilman Scott made a motion to adopt the ordinance entitled: *An ordinance to create and establish the Economic Development Authority of the Town of Windsor, Virginia.* Councilwoman Richardson seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #5.

Councilman Scott briefly discussed the process of acquiring seven directors for the Economic Development Authority. After discussion, Mayor Crocker suggested that the committee members be asked about serving on the authority, and then have the committee bring the recommendations for the seven directors to Council for its consideration and approval.

Councilman Scott reported that the committee is well on its way with accomplishing the long-term and short-term goals they have established.

Planning Commission

Mr. Stallings said the March Planning and Zoning report shows that eight zoning permits were issued and zero notices of violation. He said this will be his last planning and zoning report, because Dennis Carney, Planning and Zoning Administrator, will be preparing this report from this point forward. He said the next Planning Commission meeting is 7:00 p.m. on April 28, 2010 with a public hearing on the Proposed Capital Improvements Plan for FY 2010-11 through 2014-15.

Mayor Crocker asked Mr. Carney if he had anything he would like to share with Council. Mr. Carney said he looks forward to working with Council. He said he is in the process of reviewing the zoning and subdivision ordinance for the Town.

Councilman Willis said he has spoken with all the individuals up for reappointment on Planning Commission and BZA, and they have all agreed to serve another term. Councilman Willis made a motion to reappoint Bennie

Brown and Councilwoman Richardson for another term on Planning Commission and Devon Hewitt for another term on BZA all effective July 1, 2010. Councilman Bryant seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #6.

Old or Unfinished Business

Post Office Lease

Mr. Stallings said a member of Council asked that the Post Office lease be placed on the agenda for discussion. He said the lease runs out next year, and it is Council's decision to renew the lease or not. He said he would offer a recommendation to Council to look at renewing the lease with the Post Office with a shorter term, such as a three-year term. He said with the shorter term lease this will give Council a chance to see what direction it wants to take, and also time for the Post Office to see where they are headed in the future.

Mayor Crocker gave each Council member a chance to comment on this issue. After much discussion among Council several concerns were noted such as the current parking issue with the post office, the post office possibly not located in the Town of Windsor if the lease is not renewed, the length of the lease with no increase in rent for another ten years, the building repairs that are going to be needed in the near future, and the issue of the building was purchased by the Town for the purpose of locating the police department in that building. Council also discussed the fact that Chief Porti had reported to Council about a space needs problem over two years ago, and this problem has still not been resolved.

After Council discussion, Councilman Willis made a motion to move forward on the architectural and design work on the post office building and an addition to the Town Hall building for a cost comparison and information. Vice Mayor Jones seconded the motion.

Council further discussed the renewal of the post office lease and the cost of remodeling the building for a police department. After much discussion Councilman Garriss amended Councilman Willis' motion to include that the Town will not extend the lease for the post office except in 90-day increments and to assist them in finding another location for the post office.

The Clerk restated the motion as follows: a motion to move forward on the architectural and design work on the post office building and an addition to the Town Hall building, and notify the post office that the Town will not extend the lease for the post office except in 90-day increments and assist them in finding a location for the post office. Councilwoman Richardson seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #7.

Councilman Garris asked if an estimate could be obtained from the architect to add an unfinished second story to the addition to the Town Hall building. Mr. Stallings said he would talk with the architect about this issue.

Mr. Stallings said as Council is aware, he has another baby on the way with a due date around the end of June. He said if the baby is on time, he will not be present for the July Council meeting. He said he brings this up now so Council can consider looking at rescheduling the July Council meeting to a different date. Mr. Pretlow said when the schedule of Council meetings is set for the upcoming year, if the July meeting needs to be rescheduled the Mayor can do that at that time. He said there is plenty of time to make the change if necessary.

New Business

Councilwoman Richardson said the Library is having a book sale the second week in May. She said the library will also have a summer reading program this year for adults. Mr. Stallings said he would take care of putting the book sale information on the Town sign.

Councilman Garris said there are still a lot of Christmas decorations at the cemetery. He asked if Town maintenance staff could remove the dead plants and Christmas flowers. Mr. Stallings said he would talk with Town staff to get this matter taken care of.

Councilman Scott said he would like to have in the next Town newsletter the ordinance regarding the trash containers as a reminder to residents to get the trash containers in within a timely manner. Councilman Garris said he would also like for staff to check with the trash collection service to see if the collection route could remain the same from week to week. Mr. Stallings said he would talk with the contractor regarding the collection route.

Vice Mayor Jones made a motion to adjourn. Councilman Bryant seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #8. The meeting adjourned at 8:35 p.m.

Marvin A. Crocker, Jr., Mayor

Robin Hewett, CMC
Town Clerk

TOWN OF WINDSOR
RECORD OF
COUNCIL VOTES

Council Meeting Date

April 13, 2010

Motion #	Richardson	Willis	Scott	Bryant	Jones	Garris	M. Crocker
1	Y	Y	Y	Y	Y	Y	
2	Y	Y	Y	Y	Y	Y	
3	Y	Y	Y	Y	Y	Y	
4	Y	Y	Y	Y	Y	Y	
5	Y	Y	Y	Y	Y	Y	
6	Y	Y	Y	Y	Y	Y	
7	Y	Y	Y	Y	Y	Y	
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April 13, 2010
Robin Hewitt, CMC Clerk